

REMARKS

By this amendment, applicants have amended claim 42 to correctly depend on claim 41 and applicants have canceled dispenser claims 45-48, without prejudice.

Initially, applicants note that the Examiner is correct that claim 42 was intended to depend on claim 41, not claim 1. Applicants have corrected this error as noted.

At page 3 of the Office Action, the Examiner rejects claims 1, 2, 45-48 and 51-54 over newly cited U.S. Patent No. 6,228,821 to Silva.

Applicants believe the Examiner means claims 52-55 since claim 51 has been previously canceled. Please confirm if this is the case.

With regard to the substantive rejections of claims 1, 2 and 52-55 based on Silva, this rejection is respectfully traversed for reasons noted below.

The Silva reference is concerned with enzyme-containing cleaning and laundry compositions have enhanced fragrance retention. Specifically, Silva discloses a method for enhancing and maintaining fragrance in an enzyme-containing cleaning composition by providing low levels of a stabilizer, which stabilizer may be an antioxidant or reducing agent (column 2, lines 13-18). Although antioxidants may be used, it is not required that they be used and the list of antioxidants provided which may be used (column 7, lines 48-52) is merely exemplary.

By contrast, the present invention is directed specifically to a method of removing soil from a hard surface cleaner comprising treating the hard surface with a detergent composition comprising specific antioxidants (as well as allow to deposit and then cleaning). There is nothing in Silva which teaches or suggests that specific antioxidants are useful to facilitate removal of soil from hard surfaces. Indeed, as noted, the Silva reference need not even use antioxidant; if used, it is used as a stabilizer; and there is

no indication of using one antioxidant versus another. It is also noted that, in its role as a stabilizer, Silva suggests that levels of stabilizer above 0.001% do not achieve an advantage (column 7, lines 56-57) and levels above 0.003% may be disadvantageous (column 7, lines 60-65). By contrast, compositions used in the method of the invention should use at least 0.01% antioxidant (page 15, lines 6-10 of specification).

In short, the method claim of the subject invention is directed to a novel use (i.e., use of specific antioxidants to remove soil from hard surface when surface is treated, soil is allowed to deposit, and surface cleaned) which use is never mentioned, let alone suggested by the art; and the antioxidant of the invention is used in amounts larger than what is taught or suggested as needed for stabilizing effect in the Silva patent. There is simply nothing in the art directing or motivating one of ordinary skill to select specific types and amounts of antioxidants and use them in this specific, novel way. Any reading in this regard is based only on hindsight and such hindsight reasoning is prohibited by the patent laws. Accordingly, it is respectfully submitted that at least method claims 1, 2 and 52-55 are patentable.

With regard to dispenser claims 45-48, in an effort to expedite prosecution, and without conceding the merits of the Examiner's arguments, applicants have canceled these claims, without prejudice. Accordingly, arguments relating to these claims are moot.

In paragraph 6 of the Examiner rejects claims 55 and 57. Claim 55 is method of claim 52, where the antioxidant is applied with a wipe; and claim 52 is directed to the wipe article itself.

Again, with regard to claims 55, applicants note that a method for using specific antioxidants to remove soil from hard surface is both novel and not contemplated by the art. Since the concept itself is patentable, for reasons noted above, the use of wipe to conduct the method is also novel and unobvious.

As to claim 57, it is submitted that the composition comprising specific antioxidants on a wipe is also novel and unobvious. Since the wipe is used specifically for hard surface cleaning, it would not have been obvious to prepare such wipe and specific composition in the art, where the unexpected benefit (removing soil from hard surfaces) was previously unknown. Again, absent the knowledge of the benefit of having such wipe impregnated with specific composition, there would be no reason to prepare such. It is only with this knowledge that preparation of such wipe becomes obvious, but this is again an example of the type of hindsight prohibited by the patent laws.

In view of the above, it is respectfully requested that claims 55 and 57 be allowed.

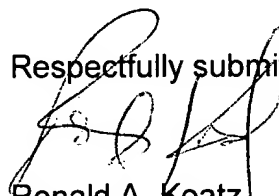
Finally, with regard to rejection of composition claims 33-36, 41-42 and 46 (paragraph 7), again it is noted that, absent a knowledge of what such composition could do, it would not be obvious to prepare such compositions comprising specific antioxidants except in hindsight.

Accordingly, it is again respectfully suggested that the composition claims are obvious only in hindsight and that such hindsight is prohibited by the patent laws.

In view of the amendments and discussion above, it is respectfully requested that the Examiner reconsider and withdraw all rejections of the claims.

If a telephone conversation would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,


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